

*Session:*  
Set: 10:00 am  
Started: 10:30 am  
Ended: 1:40 pm

Date: August 11, 2017

**CASE NO. 3:17-CR-00013-1 (FAB)**

COURTROOM DEPUTY: Gladys Romañach

COURT REPORTER: Joe Reynosa

COURT INTERPRETER: Heidi Cazes / Edna Brayfield

<b>United States of America</b>	Seth Erbe
v.	
<b>DAVID OLIVERAS-VILLANUEVAS</b>	Juan R. Acevedo-Cruz

**Third day of Jury Trial held.** Defendant, O/B, was present in court and assisted by the certified court interpreter. The courtroom was open to the public and with the assistance of the CSO, all family members and friends of the defendant interested in being present in the courtroom during jury selection and trial were accommodated.

### Housekeeping matters:

- Defense counsel argued his objection to the power point presentation that the government will present during the closing arguments; arguments of government were heard. Objection was overruled.

### **Trial Matters:**

- Jury instructions were read;
- At sidebar, counsel stated that they had no objections to the instructions read.

- Closing arguments of the Government and defense counsel were heard. Rebuttal by the government.
- Defense counsel moved for mistrial based on his objections to government's closing statements; motion denied.
- The CSO was sworn in and at 11:34 am the Jury retired to deliberate. Alternate juror was kept in a separate room.
- At 12:59 pm, Jury Note #1 was received requesting clarification of the location where the meeting was held between the defendant and the FBI agent and mentioned in the indictment. Court reconvened and discussed the note with counsel. As agreed by counsel, the note was answered by the Court indicating that the evidence presented amended the indictment.
- At 1:31 pm, Jury Note #2 was received indicating a verdict had been reached. Court reconvened. Verdict was read. Defendant was found NOT GUILTY as to Count 1 of the Indictment.
- Jury was excused from further consideration of the case.

*s/Gladys Romañach*  
Courtroom Deputy Clerk